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Sixty-third session
Agenda item 23
Question of the Falkland Islands (Malvinas)

Letter dated 12 February 2009 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit herewith a copy of the letter dated 30 December 2008 addressed to the President of the Internet Corporation for Assigned Names and Numbers (ICANN) (see annex), which made clear that the Argentine Republic rejects the assignment of the Internet domains ".fk" and ".gs" by ICANN to the illegitimate colonial "authorities" of the Malvinas Islands and South Georgia and the South Sandwich Islands, respectively.

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the General Assembly under agenda item 23.

(*Signed*) Jorge **Argüello**
Ambassador
Permanent Representative

09-23983 (E) 190209 200209

Annex to the letter dated 12 February 2009 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

[Original: English and Spanish]

I am writing to you in relation to the establishment of the ".fk" and ".gs" ccTLDs ("country code Top Level Domains") and the delegation of those domains to the so-called "governments" of the "Falkland Islands" and "South Georgia and South Sandwich Islands".

In this respect, the Argentine Government rejects the said measures regarding the said archipelagos by which they are presented as separate from the Argentine Republic and under a status that they do not have.

Furthermore, the Argentine Government recalls that the Malvinas, South Georgia and South Sandwich Islands and the surrounding maritime areas are an integral part of the territory of the Argentine Republic and, being illegitimately occupied by the United Kingdom of Great Britain and Northern Ireland, are the subject of a sovereignty dispute between both countries, recognized by the United Nations among other international and regional organizations.

The United Nations General Assembly has adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, by which it recognizes the existence of a sovereignty dispute relating to the "Question of the Malvinas Islands" and requests the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to resume negotiations in order to find as soon as possible a peaceful and definitive solution to the sovereignty dispute. Similarly, the United Nations Special Committee on Decolonization has repeatedly stated its position along the same lines, most recently through the resolution adopted on 12 June 2008.

In view of the above, the Argentine Government kindly requests ICANN and subordinate bodies to eliminate the domains known as ".fk" and ".gs" as well as their delegation to the so-called "governments" of the "Falkland Islands" and "South Georgia and South Sandwich Islands" or any other "organization" whatsoever.

Likewise, the Argentine Government kindly requests ICANN and subordinate bodies to consider "NIC-ARGENTINA" as the only valid delegated authority for the ".ar" domain in charge of authorizing the registration of all the domain names within the Argentine Republic, including those addressed in the Malvinas, South Georgia and South Sandwich Islands.

The Argentine Government would appreciate this letter to be circulated as an official document of ICANN.

(*Signed*) Eduardo M. de L. **Airaldi**
Ambassador
Director General of the Malvinas and South Atlantic Department

United Nations A/63/720

General Assembly

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Sixty-third session
Agenda items 123 and 132

Human resources management

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Special measures for protection from sexual exploitation and sexual abuse

Report of the Secretary-General

Summary

The present report is submitted in compliance with General Assembly resolution 57/306 of 15 April 2003, in which the Assembly requested the Secretary-General to maintain data on investigations into sexual exploitation and related offences. The report presents data on allegations of sexual exploitation and abuse in the United Nations system for the period from January to December 2008. It also describes progress made in the enforcement of United Nations standards of conduct related to sexual exploitation and abuse.

09-23977 (E) 060309

I. Introduction

1. The General Assembly, in its resolution 57/306 of 15 April 2003, had requested the Secretary-General to, inter alia, maintain data on investigations into sexual exploitation and related offences by humanitarian and peacekeeping personnel, and all relevant actions taken thereon. Pursuant to that resolution, the Secretary-General, on 9 October 2003, issued his bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). It was addressed to all staff of the United Nations, including staff of separately administered organs and programmes. As defined in the bulletin, "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. The term "sexual abuse" means actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

2. In response to the request contained in resolution 57/306, and in accordance with the Secretary-General's bulletin, the present report provides information on the number and type of allegations of sexual exploitation and abuse in 2008. It also sets out the status of investigations into those allegations as at 31 December 2008 and describes progress made in the enforcement of United Nations standards of conduct related to sexual exploitation and abuse.

II. Reports of sexual exploitation and abuse in 2008

3. Information on allegations of sexual exploitation or sexual abuse reported in 2008 was provided by all of the 43 United Nations entities from which information had been sought. Annex I provides a list of the entities requested to submit information, which included departments and offices of the United Nations Secretariat, as well as agencies, funds and programmes of the United Nations system. The total number of allegations reported for 2008 by all entities totalled 111, compared with 159 allegations reported in 2007.[1] Eight entities reported having received allegations, whereas 35 entities reported having received no allegations.[2]

4. The nature of the allegations and the outcome of the allegations are detailed in the annexes of the present report. The omission of a reference to a particular entity in those annexes means that no allegations were reported in regard to the personnel of that entity.[3] Allegations relating to the Department of Peacekeeping Operations/Department of Field Support involve civilian, military police and corrections personnel and as each category requires different procedures for follow-up, those categories are presented separately in the annexes.

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[1] It should be noted that in the text of the 2007 report (A/62/890), there was, regrettably, an error in paragraph 7 (h) reporting five allegations of sexual exploitation and abuse from the United Nations University, whereas the actual number was one, as correctly reflected in annex III to that report.

[2] Including the Department of Political Affairs as a separate entity, although the data for the Department of Political Affairs are included in the figures for the Department of Peacekeeping Operations.

[3] Annex IV on peacekeeping missions includes both missions that have reported allegations and missions that reported no allegations during the period under review.

5. Pursuant to resolution 59/287 of 13 April 2005, in which the General Assembly mandated the Office of Internal Oversight Services (OIOS) to conduct investigations into allegations of serious misconduct by staff members and other persons engaged in activities under the authority of the Organization, allegations of sexual exploitation and abuse are conveyed to the Office for investigation. Allegations reported to the Office are recorded and evaluated and then either prioritized for investigation, referral, suspension pending further information or closed, as appropriate. Allegations that are prioritized for investigation undergo a preliminary fact-finding inquiry to determine whether the evidence available warrants further investigation. If it is determined that the evidence available is sufficient to warrant proceeding with the case, the case remains open. During this phase, the assigned investigator verifies and ensures that all relevant information has been obtained from the complainant. Investigations of allegations in the separately administered funds and programmes of the United Nations are conducted by their respective investigative units, such as the Office of the Inspector General of the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of Audit and Investigations of the United Nations Development Programme (UNDP), and the Office of Inspections and Investigations of the World Food Programme (WFP).

6. Annex II concerns the nature of allegations reported by United Nations entities other than the Department of Peacekeeping Operations/Department of Field Support. Annex III concerns the status of investigations into allegations of sexual exploitation and abuse involving personnel of United Nations entities other than the Department of Peacekeeping Operations/Department of Field Support. As at 31 December 2008, there were a total of 28 allegations of sexual exploitation and abuse involving United Nations personnel or United Nations-related personnel of United Nations entities other than the Department of Peacekeeping Operations/Department of Field Support in 2008. The outcome of the investigations can be summarized as follows:

(a) One allegation relating to "other forms of sexual exploitation and abuse" had been reported by the International Criminal Tribunal for Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 2004. The allegation was investigated by the Office of Internal Oversight Services and has been referred to the Office of Human Resources Management for disciplinary action;

(b) One allegation was reported by UNDP which fell in the category of exchange of money, employment, goods or services for sex. The allegation was referred anonymously to the UNDP Office of Audit and Investigations and was, as at 31 December 2008, under investigation;

(c) UNHCR reported 13 allegations in 2008. Eleven of these allegations had been lodged against United Nations staff, one of whom was a former staff member; and two involved United Nations-related personnel. Of the 13 allegations reported, 5 allegations were investigated and determined unsubstantiated, and 8 were pending investigation by the Office of the Inspector General as at 31 December 2008. Nine of the 13 allegations involved sex in exchange for money, employment, goods or services; 1 involved solicitation of prostitutes; and 2 involved use of official

information and communications technology (ICT) resources for purposes of obtaining pornography;

(d) The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) had reported one allegation of rape, which, after investigation, was determined to have been substantiated. The allegation was referred by the UNRWA investigative board to the Director of UNRWA Operations in Jordan, and the staff member was summarily dismissed;

(e) United Nations Volunteers (UNV) had reported seven allegations against Volunteers.[4] Five allegations were reported by the Office of Internal Oversight Services and two were reported by host agencies. All allegations were investigated by the Office. One allegation fell into the category of rape and was, after investigation by the Office, referred to the United Nations Volunteers Advisory Panel on Disciplinary Measures for review. The Panel concluded that the evidence was not conclusive enough to justify the imposition of any disciplinary action. Two allegations fell in the category of solicitation of prostitutes, of which one was determined to be unsubstantiated and was closed. One was found substantiated by both the Office and the Panel. Four allegations fell into the category other forms of sexual exploitation and abuse, of which three were determined to be unsubstantiated. The disciplinary measures that were imposed on the two individuals for whom the allegations were substantiated were a letter of censure and summary dismissal;

(f) WFP reported five allegations, all of which were reported to the WFP Office of Inspections and Investigations. Two allegations, against United Nations staff, fell into the category of other forms of sexual exploitation and abuse, of which one was determined, after investigation, to have been unsubstantiated and one was under investigation as at 31 December 2008. Three allegations involved allegations against United Nations-related personnel in the category of exchange of money, employment, goods or services for sex. One of these cases involved unconfirmed allegations that non-governmental staff had requested sex in exchange for food from internally displaced women in a refugee camp, which led to a thorough review of the policies and practices in respect of food distribution and resulted in a strengthening of the programme model so as to prevent future incidents. Two allegations were under review as at 31 December 2008.

7. There had been 83 allegations of sexual exploitation and abuse involving personnel of the Department of Peacekeeping Operations/Department of Field Support, as reported to the Office of Internal Oversight Services in 2008. This number reflected a substantial decrease compared with the numbers of allegations reported in 2006 (357) and 2007 (127). Annex IV sets out the number of allegations, by month and by peacekeeping mission. Annex V sets out the number of investigations into allegations of sexual exploitation and abuse involving personnel of the Department of Peacekeeping Operations/Department of Field Support, by category of United Nations personnel and nature of the allegations. Annex VI concerns the status of the investigations into allegations of sexual exploitation and abuse involving peacekeeping personnel reported in 2008, as at 31 December 2008.

[4] It should be noted that the figures for the Department of Peacekeeping Operations may include those for United Nations Volunteers, as the latter fall under the category of United Nations-related personnel. There is therefore a possibility that these figures overlap.

8. It should be noted that the 83 allegations reported in annex IV do not reflect the number of alleged perpetrators or victims. Multiple allegations could correspond to one alleged perpetrator and one allegation could correspond to multiple alleged perpetrators. For the purpose of this report, it should be noted that the term "investigations" is used to refer to the number of individuals identified in investigation reports. There is therefore not a one-to-one match between the number of allegations received and the number of individuals for whom an investigation has been completed, as one investigation report may cover several individuals. Paragraphs 9 and 10 below provide an overview of allegations reported, and paragraphs 12 and 13 relate to the status of investigations completed during the reporting period.

9. The majority of all allegations, 83 out of the total of 111, or 75 per cent, related to peacekeeping personnel. This figure represents a 35 per cent decrease from the 127 allegations reported in 2007. The decline in reports of allegations of sexual exploitation and abuse, which had begun in December 2006, continued throughout 2007 and 2008. Through focusing on specific peacekeeping missions, it is to be observed that for the majority of field missions, the number of allegations of sexual exploitation and abuse reported has decreased. The most notable decreases occurred at the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Mission in the Sudan (UNMIS) and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), for which the Office of Internal Oversight Services reported 19, 14 and 59 allegations in 2007, respectively, and 4, 5 and 40 allegations in 2008. In addition, the Office had reported allegations of sexual exploitation and abuse for the United Nations Mission for the Referendum in Western Sahara (MINURSO) and the United Nations Interim Administration Mission in Kosovo (UNMIK) in 2007 (two and one, respectively), while none were reported in 2008. Conversely, both the United Nations Observer Mission in Georgia (UNOMIG) and the United Nations Mission in Ethiopia and Eritrea (UNMEE) had no allegations reported in 2007, while one and two, respectively had been reported in 2008. The United Nations Mission in Nepal (UNMIN) reported no allegations in 2007 and two in 2008. These two allegations related to one staff member of the Department of Political Affairs who served with the United Nations Mission in Nepal, whereas the second allegation concerned a United Nations-related individual.[5]

10. It should be noted that allegations of the most egregious forms of sexual exploitation and abuse, namely, sexual exploitation and abuse of minors, including rape, constituted 34 of the total 83 allegations.

11. Investigations involving 80 United Nations peacekeeping personnel were completed as at 31 December 2008. The breakdown of those investigations is as follows:

(a) Investigations had been conducted involving 61 military personnel, following which allegations against 3 personnel were determined to have been unsubstantiated, while allegations against the remaining 58 were determined to have been substantiated. The Department of Peacekeeping Operations/Department of Field Support has communicated the results of these investigations to the relevant

[5] The case of this United Nations-related individual involved a United Nations Volunteer, which case would also be included in the figures reported by United Nations Volunteers.

troop-contributing countries and the individuals have been repatriated and barred from future peacekeeping operations. In 2008, the Department of Peacekeeping Operations/Department of Field Support received feedback on action taken by Member States in respect of substantiated allegations of sexual exploitation and abuse communicated to them in 2008 and in prior years. One Member State reported that criminal proceedings following the repatriation of 111 military personnel were under review by its Ministry of Defence and that the United Nations would be informed of the outcome of the proceedings at the earliest opportunity. In addition, the Department of Peacekeeping Operations/Department of Field Support received feedback from two Member States on action taken against two military personnel, including sentencing to imprisonment for 30 and 40 days. These military personnel were banned from future United Nations peacekeeping operations;

(b) Investigations had been conducted involving eight civilian personnel, following which the allegations against four of them were determined to have been unsubstantiated, while allegations against the remaining four personnel were determined to have been substantiated. As these personnel were United Nations contractors, the cases had been forwarded to their relevant employers for appropriate action to be taken. The personnel left or were removed from their respective missions. Additionally, the Department of Peacekeeping Operations/Department of Field Support has assessed the adequacy of training materials on sexual exploitation and abuse for two United Nations corporate contractors in order to ensure that those materials were in accord with Secretary-General's bulletin ST/SGB/2003/13 and provided recommendations;

(c) Investigations had been conducted for 11 police and corrections personnel, following which allegations against 3 personnel were determined to have been unsubstantiated, while allegations against the remaining 8 personnel were determined to have been substantiated. The Department of Peacekeeping Operations/Department of Field Support had communicated the results of these investigations to the relevant police-contributing countries and the individuals were repatriated and barred from future peacekeeping operations.

12. With regard to completed investigations, it is to be observed that investigated allegations involving rape, sex with minors and sexual abuse appear to have increased substantially from 2007 to 2008: compared with 4 investigated allegations of rape and 2 of sex with minors in 2007, there were 50 investigated allegations of rape of minors,[6] 2 of rape where the victim was aged 18 years or over, and 4 of sexual abuse in 2008.

III. Observations

13. The total number of allegations of sexual exploitation and abuse has declined, with a total of 111 allegations having been reported in 2008, compared with 159 allegations reported in 2007 and 371 in 2006. The total number of allegations relating to peacekeeping personnel has substantially declined, with 83 allegations having been reported to the Office of Internal Oversight Services in 2008 compared with 127 allegations reported to the Office in 2007 and 357 in 2006.

[6] It should be noted that the investigation of 50 individuals pursuant to the allegation of rape of minor(s) was related to one initial allegation.

14. The decreased number of allegations related to peacekeeping personnel can be attributed partly to preventative measures, such as increased training and awareness-raising activities. The change in the methods of counting allegations/reports of misconduct over the past years may have also contributed to the decrease in the number of allegations being reported. Nevertheless, the number of investigated allegations shows an increase with respect to allegations against individuals that have been substantiated, in particular in the category of allegations related to offences involving minors, including rape, and sexual abuse, both of minors and of adults. Troop- and police-contributing countries have also continued their predeployment training to include more content on prevention of sexual exploitation and abuse and have taken strong measures to discipline the subjects of allegations that were substantiated. Those measures have thus contributed to limiting to some extent the occurrence of sexual exploitation and abuse by all peacekeeping personnel. However, the fact remains that even one case of sexual abuse or sexual exploitation is one too many and that zero tolerance must remain the goal through a policy of constant monitoring and vigilance by senior leadership in the field and at Headquarters.

15. The ability to record and track allegations of sexual exploitation and abuse by peacekeeping personnel was improved during 2008 with the roll-out of an Internet-based Misconduct Tracking System. The System is a secure application that is used both by the Conduct and Discipline Unit to record, track and report on all complaints of misconduct by peacekeeping personnel at United Nations Headquarters and by the mission Conduct and Discipline Teams. In the future, the Office of Internal Oversight Services at Headquarters may also have access to the System for the purpose of viewing details of allegations that have been forwarded to it for investigation. The Misconduct Tracking System also tracks administrative and disciplinary action taken against individuals, as well as responses from Member States regarding allegations that have been referred to their permanent missions.

IV. Strengthening measures for protection from sexual exploitation and sexual abuse

Task Force on Protection from Sexual Exploitation and Abuse

16. The Task Force on Protection from Sexual Exploitation and Abuse, which was established jointly in 2005 by the Executive Committee on Humanitarian Affairs and the Executive Committee on Peace and Security, was an outgrowth of the work of the Inter-Agency Standing Committee on the issue. The Task Force continued in 2008 to work towards bringing global partners together and producing tools designed to prevent and address sexual exploitation and abuse.

17. In May 2008, the Task Force brought together nearly 50 experts on protection from sexual exploitation and abuse from around the world, including non-governmental organizations, United Nations personnel and victim advocates, to discuss and further define how to address key challenges in respect of the efforts to eliminate sexual exploitation and abuse. The meeting resulted in agreement on the way forward, which would include the conduct of efforts to ensure protection from sexual exploitation and abuse under the following four pillars: (a) engagement with and support of local populations; (b) prevention; (c) response systems, including

victim assistance; and (d) management and coordination. The meeting also produced a compilation of good practices and lessons learned and a collection of tools for protection from sexual exploitation and abuse, for inclusion in a tools repository, which will be launched in early 2009 at http://www.un.org/psea/taskforce. Finally, the priority outputs for the Task Force for 2008-2009 were agreed upon.

18. The Task Force produced several of these outputs in 2008. The Task Force developed and piloted packages for training of focal points and senior managers at the country level. Guidance documents on the development of community-based complaints mechanisms and on the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) are in the completion stages for adoption by the Task Force in early 2009. The Task Force also drafted a guide on the implementation of the victim assistance strategy. Additionally, in 2008, representatives of the Task Force visited Kenya, Liberia, Somalia and South Africa in order to support protection from sexual exploitation and abuse-related efforts on the ground and are planning to undertake similar activities in Haiti, Côte d'Ivoire and Nepal in 2009.

19. Other activities included the establishment of a mechanism for managerial compliance, including minimum operating standards for protection from sexual exploitation and abuse. These standards were drafted in 2008 and will be shared with senior managers in 2009 with a view to effecting formal adoption.

20. Remaining challenges include persistent underreporting of sexual exploitation abuse, the need for enhanced engagement by both United Nations and non-United Nations entities in the Task Force and the need for increased accountability in the implementation of measures to ensure protection from sexual exploitation and abuse.

Department of Field Support Conduct and Discipline Unit and Teams

21. During the period under review, Conduct and Discipline Teams were operational in the following peacekeeping and special political missions: the United Nations Assistance Mission in Afghanistan (UNAMA),[7] the United Nations Integrated Office in Burundi (BINUB), the United Nations Mission in the Central African Republic and Chad (MINURCAT), the United Nations Operation in Côte d'Ivoire (UNOCI), the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the United Nations Mission in Ethiopia and Eritrea (UNMEE), the United Nations Observer Mission in Georgia (UNOMIG), the United Nations Mission in Liberia (UNMIL), the United Nations Interim Administration Mission in Kosovo (UNMIK), the United Nations Stabilization Mission in Haiti (MINUSTAH), the United Nations Assistance Mission in Iraq (UNAMI), the United Nations Interim Force in Lebanon (UNIFIL),[8] the United Nations Mission in Nepal (UNMIN), the United Nations Integrated Office in Sierra Leone (UNIOSIL), the United Nations Mission in the Sudan (UNMIS), the

[7] Also covering the United Nations Military Observer Group in India and Pakistan.

[8] Also covering the United Nations Disengagement Observer Force (UNDOF), the United Nations Peacekeeping Force in Cyprus (UNFICYP), the United Nations Truce Supervision Organization (UNTSO)/the Office of the United Nations Special Coordinator for the Middle East Peace Process (UNSCO) and the United Nations Logistics Base at Brindisi, Italy (UNLB).

African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Integrated Mission in Timor-Leste (UNMIT) and the United Nations Mission for the Referendum in Western Sahara (MINURSO).

Update on Activities/Policies Relevant to the Prevention of Sexual Exploitation and Abuse

22. The activities of the Conduct and Discipline Teams are continuing along the lines established by the three-pronged comprehensive strategy to address sexual exploitation and abuse. Relevant activities and results for 2008 are described below:

(a) Two standard training modules, one for mid-level managers and commanders and the other for senior leaders, on the prevention of sexual exploitation and abuse were disseminated to missions for use and adaptation in April 2008. In addition, a new module on standards of conduct was developed by the Conduct and Discipline Unit in conjunction with the Integrated Training Service of the Department of Peacekeeping Operations for use in predeployment training at both United Nations and troop-contributing country/police-contributing country training centres;

(b) In terms of awareness-raising, a mission-focused communications campaign to combat prostitution/transactional sex in missions is under way. Workshops to develop mission-specific strategies were held in the United Nations Integrated Mission in Timor-Leste, the United Nations Stabilization Mission in Haiti, the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Mission in Liberia, the United Nations Operation in Côte d'Ivoire and the United Nations Mission in Sudan between September and December 2007; implementation of the campaign began in April 2008. The campaign is part of a broader prevention effort to align peacekeeping personnel behaviour with United Nations standards of integrity and conduct and to eradicate sexual exploitation and abuse. Funding for these campaigns is provided by donor contributions.

23. With regard to relevant policies, amendments on standards of conduct including sexual exploitation and abuse to the draft model memorandum of understanding between the United Nations and troop-contributing countries[9] had been endorsed by the General Assembly in its resolution 61/267 B of 24 July 2007. In July 2008, the Department of Peacekeeping Operations/Department of Field Support informed the permanent missions of 50 Member States that the provisions of the revised memorandum of understanding had become an integral part of all signed memorandums of understanding. These provisions are also included in newly signed memorandums of understanding.

24. A comprehensive review by the Secretary-General of the welfare and recreation needs of all categories of peacekeeping personnel (A/62/663), as recommended by the General Assembly in its resolution 59/300 of 22 June 2005, was prepared for consideration by the Special Committee on Peacekeeping at its 2008 substantive session. The review had identified the welfare and recreation needs for all categories of peacekeeping personnel and the measures that the Secretariat

[9] *Official Records of the General Assembly, Sixty-first Session, Supplement No. 19* (A/61/19/Rev.1), part three, annex.

proposed to take to address those needs. The Special Committee took note of the report[10] and recognized the importance of welfare and recreation for all categories of peacekeeping personnel, including non-contingent personnel, and requested a new comprehensive report on welfare and recreation issues in all their aspects. The report (A/63/675) was finalized in December 2008 for review by the appropriate main Committee of the Assembly at its sixty-third session.

Statement of Commitment on Eliminating Sexual Exploitation and Abuse by United Nations and Non-United Nations Personnel

25. The High-level Conference on Eliminating Sexual Exploitation and Abuse by United Nations and Non-Governmental Organization Personnel, hosted jointly by the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs of the Secretariat, the United Nations Development Programme (UNDP) and the United Nation's Children's Fund (UNICEF), was held on 4 December 2006 in New York and attended by representatives of international organizations, non-governmental organizations and Member States. The Conference offered an opportunity for senior leaders within the United Nations, non-governmental organizations and international organizations to evaluate current achievements and challenges faced in preventing and responding to sexual exploitation and abuse perpetrated by their personnel. The conference culminated with the issuance of a Statement of Commitment on Eliminating Sexual Exploitation and Abuse by United Nations and Non-United Nations Personnel, which contained 10 principles set out to facilitate rapid implementation of standards relating to the prevention and elimination of sexual exploitation and abuse. This Statement has formed the basis of the United Nations-wide strategy to address sexual exploitation and abuse. As at 31 December 2008, all 43 entities providing information for inclusion in the present report had confirmed their endorsement of the Statement of Commitment. Thirty-four non-United Nations entities have also endorsed the Statement.

V. Conclusions

26. During the period under review, the United Nations continued its efforts to enhance the framework within which to prevent and address sexual exploitation and abuse. The Organization has continued to make progress in achieving awareness-raising, improved report mechanisms, improved policies and strategic collaboration with non-governmental partners. The aforementioned meeting convened in May 2008 by the Task Force on Protection from Sexual Exploitation and Abuse, with the participation of nearly 50 experts from all over the world, represented an important step towards the establishment of a unified and streamlined approach to addressing allegations of sexual exploitation and abuse, and served to coordinate best practices and policies on how to further eliminate sexual exploitation and abuse. Increasing the number of initiatives to establish training programmes for focal points and senior managers at the country level is of pivotal importance in respect of achieving increased awareness of sexual exploitation and sexual abuse issues among United Nations staff and related United Nations personnel. Progress has been made in

[10] Ibid., *Sixty-second Session, Supplement No. 19* (A/62/19), para. 65.

establishing and improving complaint mechanisms in local communities, as well as in drafting guidance material on victim assistance. The revised memorandum of understanding between the United Nations and troop-contributing countries, which had been endorsed by the General Assembly in its resolution 61/267 B of 24 July 2007, became an integral part of all memorandums of understanding signed in 2008 and represents another milestone in the advancement of the comprehensive strategy to address sexual exploitation and abuse. The Conduct and Discipline Teams in the peacekeeping missions, as well as the Task Force on Protection from Sexual Exploitation and Abuse, have played a pivotal role in respect of the progress made in establishing a sustainable framework for addressing sexual exploitation and abuse in conjunction with the United Nations policy of zero tolerance.

27. In 2008, for the first time, all entities that had been requested to provide information on allegations of sexual exploitation and abuse provided a response, and all entities have signed the Statement of Commitment. The 100 per cent participation in this reporting exercise indicates the increased strong commitment from the United Nations community to addressing sexual exploitation and abuse. The number of allegations of sexual exploitation and abuse reported in 2008 showed a marked decline, with significant reductions in the number of cases having been reported, particularly involving the Department of Peacekeeping Operations/ Department of Field Support. However, while there has been an overall decrease in the number of allegations for peacekeeping personnel, there has been a sharp increase in the number of reported allegations of rape and sexual abuse of minors, which is alarming and of serious concern. The situation will be monitored closely.[11] Whereas in 2007, there had been an increase, compared with 2006, in the number of allegations arising in entities other than peacekeeping, in 2008, there was a decline in the number of allegations reported with respect to entities that had submitted data in 2007.[12] This may be attributed partly to improved reporting mechanisms, improved investigative procedures and strengthened community outreach.

28. The Organization recognizes that challenges to improve reporting mechanisms, investigative procedures, continued strengthening of community outreach and awareness-training will continue. The Secretary-General remains fully committed to addressing these challenges in a proactive and diligent manner. His policy of zero tolerance of sexual exploitation and abuse and his efforts to prevent the perpetration of acts of sexual exploitation and abuse by United Nations-related personnel will continue. The Secretary-General recognizes the valuable support that Member States have provided in assisting the Organization in its efforts to ensure that the zero-tolerance policy is applied equally to all troop contingents during 2008 and urges Member States to continue to offer their full and committed support in respect of assisting the Organization in making sustainable progress in changing the organizational culture so as to deter all acts of sexual exploitation and abuse.

[11] It should be noted that the figure is based on one initial allegation, which prompted the investigation of 50 individuals. The allegation did not encompass the military personnel of several missions but only of one.

[12] It should be noted that, in 2008, two entities submitted reports for the first time, in which they reported seven and five allegations, respectively. As these entities had not submitted reports in previous years, no comparison was possible.

Annex I

United Nations entities requested to provide information on allegations of sexual exploitation and abuse

Office of the Secretary-General

Office of Internal Oversight Services

Office of Legal Affairs

Department of Political Affairs

Department for Disarmament Affairs

Department of Peacekeeping Operations

Office for the Coordination of Humanitarian Affairs

Department of Economic and Social Affairs

Department for General Assembly and Conference Management

Department of Public Information

Department of Safety and Security

Department of Management

Peacebuilding Support Office

Office of the Special Representative of the Secretary-General for Children and Armed Conflict

United Nations Joint Staff Pension Fund

Office of the Special Adviser on Africa

United Nations Conference on Trade and Development

Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States

Office of the United Nations High Commissioner for Human Rights

United Nations Office at Geneva

United Nations Office at Nairobi (including United Nations Environmental Programme and United Nations Human Settlements Programme (UN-Habitat))

United Nations Office at Vienna (including Office on Drugs and Crime)

Economic Commission for Africa

Economic Commission for Europe

Economic Commission for Latin America and the Caribbean

Economic and Social Commission for Asia and the Pacific

Economic and Social Commission for Western Asia

Office of the United Nations High Commissioner for Refugees

United Nations Children's Fund

United Nations Development Programme

United Nations Development Fund for Women

United Nations Volunteers

United Nations Population Fund

United Nations Office for Project Services

United Nations Relief and Works Agency for Palestine Refugees in the Near East

United Nations University

Joint United Nations Programme on HIV/AIDS (UNAIDS)

International Criminal Tribunal for Rwanda (ICTR)

International Tribunal for the Former Yugoslavia

International Trade Centre (UNCTAD/WTO)

World Food Programme

Annex II

Nature of allegations, by United Nations entities other than the Department of Peacekeeping Operations[a]

Nature of allegation[b]	*ICTR*	*UNHCR*	*UNDP*	*UNRWA*	*UNV*	*WFP*
Rape				1	1	
Sex with minors						
Sexual assault						
Human trafficking						
Exchange of money, employment, goods or services for sex		9	1			3
Solicitation of prostitutes		2			2	
Viewing pornography		2				
Other forms of sexual exploitation and abuse	1				4	2
Other violations of the provisions of ST/SGB/2003/13 (e.g., false reporting of sexual exploitation and sexual abuse)						
Total	**1**	**13**	**1**	**1**	**7**	**5**

[a] Entities reporting no allegations are not listed.

[b] In accordance with Secretary-General's bulletin ST/SGB/2003/13 on special measures for protection from sexual exploitation and sexual abuse, "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. The term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Annex III

Status of investigations into allegations reported in 2008[a] involving personnel of United Nations entities other than the Department of Peacekeeping Operations

	Status of investigation as at 31 December 2008			
Entity	*Number of allegations received*	*Unsubstantiated or closed*	*Substantiated*	*Investigation ongoing*
ICTR	1		1	
UNHCR[b]	13	5		8
UNDP[c]	1			1
UNRWA[d]	1	1		
UNV[e]	7	6	1	
WFP[f]	5	2		3
Total	**28**	**14**	**2**	**12**

[a] 1 January-31 December 2008.

[b] UNHCR has its own investigative body: Office of the Inspector General of UNHCR, which receives and investigates allegations of misconduct, including sexual exploitation and abuse. The Office would refer cases to the Office of Internal Oversight Services for investigation only in instances where the allegation concerned a senior member of the Executive Office of the High Commissioner or involved senior staff of the Executive Office or in cases involving possible conflict of interest.

[c] UNDP has its own investigative body: Office of Audit and Investigations.

[d] The UNRWA investigative board examines the cases that have not been referred to the Office of Internal Oversight Services.

[e] It should be noted that the figures of the Department of Peacekeeping Operations for allegations may include those for United Nations Volunteers, as the latter fall under the category United Nations-related personnel. There is therefore a possibility that these figures overlap.

[f] WFP has its own investigative body: Office of Inspections and Investigations.

Annex IV

Number of allegations reported to the Office of Internal Oversight Services in 2008 involving personnel of the Department of Peacekeeping Operations/Department of Field Support, by peacekeeping mission

Mission	*January*	*February*	*March*	*April*	*May*	*June*	*July*	*August*	*September*	*October*	*November*	*December*
BINUB	—	—	—	—	—	—	—	—	—	—	—	—
MINURCAT	—	—	—	—	—	—	—	—	—	—	—	—
MINURSO	—	—	—	—	—	—	—	—	—	—	—	—
MINUSTAH	1	1	—	—	—	—	—	1	—	—	—	1
MONUC	4	3	6	2	4	2	2		4	3	6	4
UNAMA	—	—	—	—	—	—	—	—	—	—	—	—
UNAMI	—	—	—	—	—	—	—	—	—	—	—	—
UNAMID	—	—	—	—	—	—	—	—	—	—	—	—
UNDOF	—	—	—	—	—	—	—	—	—	—	—	—
UNFICYP	—	—	—	—	—	—	—	—	—	—	—	—
UNIFIL	—	—	—	—	—	—	—	—	—	—	1	—
UNMEE	—	1	1	—	—	—	—	—	—	—	—	—
UNMIK	—	—	—	—	—	—	—	—	—	—	—	—
UNMIL	—	—	—	1	3	—	1	—	—	4	4	2
UNMIN	—	—	—	—	—	1		—	—		1	
UNMIS	1	—	—	—	1	—	—	—	—	—	2	1
UNMIT	—	—	1	—	—	—	—	—	—	—	—	—
UNLB	—	—	—	—	—	—	—	—	—	—	—	—
UNOCI	—	2	—	1	1	—	2	—	1	—	1	4
UNOMIG	—	—	—	—	1	—	—	—	—	—	—	—
UNMOGIP	—	—	—	—	—	—	—	—	—	—	—	—
UNTSO	—	—	—	—	—	—	—	—	—	—	—	—
Total	**6**	**7**	**8**	**4**	**10**	**3**	**5**	**1**	**5**	**7**	**15**	**12**

Annex V

Nature of allegations, by category of personnel of the Department of Peacekeeping Operations/Department of Field Support, for completed investigations[a]

	Civilian personnel		*Uniformed personnel*		
	United Nations staff	*Other United Nations personnel*	*United Nations police and corrections personnel*	*Military personnel*	*Subtotal*
Rape (victim under age 18 (minor))				50	50
Rape (victim 18 years of age or over)				2	2
Sexually exploitative pornography					0
Transactional sex (including for food, work, money)	1	4[b]		4	9
Exploitative relationship	2		3	4	9
Sexual abuse (non-consensual physical or emotional contact) (victim under age 18 (minor))			2	1	3
Sexual abuse (non-consensual physical or emotional contact) (victim 18 years of age or over)	1				1
Other			6		6
Total	**4**	**4**	**11**	**61**	**80**

[a] The term "investigations" refers to the number of individuals for whom investigations have been completed.

[b] One of these cases, which involved a United Nations Volunteer, would be included also in the figure provided under entities other than the Department of Peacekeeping Operations.

Annex VI

Status of investigations[a] into allegations involving peacekeeping personnel reported in 2008 and their follow-up

		Number of individuals for whom allegations investigated by the United Nations were determined to have been:		
Category of personnel	*Number of completed investigations conducted by the United Nations*	*Unsubstantiated*	*Substantiated and forwarded to the Office of Human Resources Management or relevant employer*[b]	*Substantiated and forwarded to Member State for action*
United Nations staff[c]	4	4		
United Nations-related personnel[d]	4		4	
United Nations police and corrections personnel	11	3		8
Military[e]	61	3		58
Total	**80**	**10**	**4**	**66**

[a] The term "investigations" refers to the number of individuals for whom investigations have been completed.
[b] Employers are entities with which the individual has entered into an employment contract, including private companies.
[c] Including all internationally and locally recruited staff members with appointments under the 100, 200 or 300 series of the Staff Rules.
[d] Including interns, international and local consultants, individual and corporate contractors and United Nations Volunteers.
[e] Including military contingents, staff officers and military observers.